

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

COMITÉ DE APOYO A LOS
TRABAJADORES AGRÍCOLAS, et al.,

Plaintiffs,

v.

HILDA SOLIS, et al.,

Defendants.

CIVIL ACTION

No. 09-240

ORDER

AND NOW, this 15 of June, 2011, for the reasons discussed in the accompanying memorandum:

(1) It is hereby **ORDERED** that the January 1, 2012 effective date of the Department of Labor's *Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program*, 76 Fed. Reg. 3452 (Jan. 19, 2011), ("the Wage Rule") is **VACATED**. The remainder of the Wage Rule has not been challenged and remains undisturbed.

(2) The court will expect that, within forty-five (45) days, the DOL will—in compliance with the Administrative Procedure Act, the Immigration and Nationality Act, and this court's orders—announce a new effective date.

(3) This matter is remanded to the Department of Labor for further proceedings.

BY THE COURT:

/s/ Louis H. Pollak
Pollak, J.